

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION
Honorable Edward J. Davila
Courtroom 4 - 5th Floor**

**TITLE: *UNITED STATES v. RAMESH SUNNY BALWANI*
CASE NUMBER: 5:18-CR-00258-2 EJD**

Minute Order and Trial Log

Date: April 15, 2022
Time in Court: 9:03-10:43 AM; 11:10 AM – 12:00 PM
(TOTAL Time: 2 hrs, 30 min)

Courtroom Deputy Clerk: Cheré Robinson
Court Reporter: Irene Rodriguez

APPEARANCES:

Plaintiff Attorney(s) present: Jeffrey Schenk, John Bostic, Robert Leach
Also present: Paralegals – Maddi Wachs; Sara Slattery

Defendant Attorney(s) present: Jeffrey Coopersmith, Amy Walsh, Stephen Cazares,
Aaron Brecher, Amanda McDowell, Shawn Estrada,
Sachi Schuricht

Also present: Paralegal – Jennifer Cygnor
Also present: Ramesh Sunny Balwani (out-of-custody)

PROCEEDINGS:

Jury Trial:

Jury Trial held April 15, 2022. Testimony held and evidence entered.
Further Jury Trial set for April 19, 2022, at 9:00 AM.

See attached Trial Log.

The following exhibits were identified and offered:

Plaintiffs:

Defendants: 10462, 7694, 13993, 13993A, 13986, 10446, 10457, 20160, 20472, 20161, 20162,
10472, 4018, 20546, 20542, 20544, 20545, 13988, 20183

The following exhibits are admitted into evidence:

Plaintiffs:

Defendants: 10462, 7694, 13993, 13993A, 13986, 10446, 10457, 20160, 20472, 20161, 20162,
10472, 4018, 20546, 20544, 20545, 13988, 20183

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

HONORABLE EDWARD J. DAVILA

Case Name: *United States v. Ramesh Sunny Balwani*
Case No: 5:18- CR-00258-2 EJD

TRIAL LOG

TRIAL DATE: April 15, 2022			REPORTER(S): Irene Rodriguez	CLERK: Cheré Robinson
PLF	DEFT	TIME	DESCRIPTION	
		9:03 am	Jury enters Courtroom	
		9:08 am	Court in session; Jury present	
			Court addresses Jury re previous admonishment and trial schedule	
		9:10 am	Witness #5, Daniel Edlin, takes the stand	
			Cross-examination of Daniel Edlin continues	
	10462	9:23 am	ADMITTED into Evidence – Nov 2012 Coats Email Chain re ABA Rescue re 4th PI Meeting – new schedule date time location	
	7694	9:28 am	ADMITTED into Evidence – Chung et al., <i>High-volume hemofiltration in adult burn patients with septic shock and acute kidney injury: a multicenter randomized controlled trial</i> , CRITICAL CARE 2017/21:289	
	13993 and 13993A	9:37 am	ADMITTED into Evidence – May/June 2012 Email Chain re Theranos Demo Results – with Attachment A (13993A)	
	13986	9:42am	ADMITTED into Evidence – 2012-06-21 Young Email to Edlin and Holmes re AFRICOM training	
	10446	9:45 am	ADMITTED into Evidence – July 2012 Givens/Edlin/Holmes Email String re SOCAFRICA update	
	10457	9:52 am	ADMITTED into Evidence – Nov/Dec 2012 Murphy/Edlin/Holmes Email String re Approved IRB Protocol for Theranos LOE, and attachment - Protocol application for existing data and specimens	
	20160	9:56 AM	ADMITTED into Evidence – Feb. 2013 Edlin/Romero/Nelson/Balwani Email String re Theranos – Setting up network connection	
	20472	9:59	ADMITTED into Evidence –Feb 2013 Email String re netowkring [sic] utility and connectivity in Afghanistan [sic]	
	20161 and 20162	10:02 am	ADMITTED into Evidence – Additional emails with R. Balwani re IT issues re Afghanistan	

Cheré Robinson
Courtroom Deputy
Original: **E-Filed**

TRIAL DATE: April 15, 2022			REPORTER(S): Irene Rodriguez	CLERK: Cheré Robinson
PLF	DEFT	TIME	DESCRIPTION	
	10472	10:03 am	ADMITTED into Evidence – Feb 2013 Email Chain re ship date update	
Obj	4018	10:14 am	ADMITTED into Evidence – 2013-10-28 Pfizer Meeting Invite re Theranos Site Visit	
	20546	10:17 am	ADMITTED into Evidence – Nov. 2013 Email String re Pfizer/Theranos Discussions	
Obj	20542	10:23 am	Offered into Evidence	
			Sustained.	
	20544	10:23 am	ADMITTED into Evidence – Mar 2012 Email String re GSK MLSA proposal, indicating attachment – Theranos_MLSAdraft1-2012-03-12_YYV.docx	
	20545	10:26 am	ADMITTED into Evidence – Apr 2012 GSK Meeting invite re MLSA and NDA	
	13988	10:30 am	ADMITTED into Evidence – 2015-07-02 Holmes Email to Employees re received FDA clearance on system and first lab developed test filed – HSV-1	
Obj	20183	10:33 am	Offered into Evidence	
			Beyond Scope	
			Further foundation to be laid re Defendant's state of mind	
		10:35 am	ADMITTED into Evidence (Not to Truth of Matter – only for state of mind of Defendant as to knowledge) – 2015-07-02 Email String re company meeting slides, and attachment - 2015-07-02 Presentation re Theranos HSV-1 510k Approval Company Meeting	
			Jury departs courtroom	
			Court brakes for 27 minutes	
		11:10 am	Court in session in presence of Jury	
			Government begins re-direct of Daniel Edlin	
		11:52 am	Government completes re-direct of Daniel Edlin	
		11:53 am	Defense conducts re-cross of Daniel Edlin	
		11:59 am	Defense concludes re-cross of Daniel Edlin	
			Witness Daniel Edlin excused	

TRIAL DATE: April 15, 2022			REPORTER(S): Irene Rodriguez	CLERK: Chéré Robinson
PLF	DEFT	TIME	DESCRIPTION	
		12:00 pm	Court admonishes Jury	
			Court adjourns	
			Jury Trial continued to April 19, 2022, at 9:00 a.m.	